

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	boysinaction.jpg
Other Known Title:	Not Stated
Medium:	Computer Image File
Director/Author:	Not Applicable
Producer/Publisher:	Not Stated
Country of Origin:	Not Stated
Language:	Not Applicable
Applicant:	Commissioner of Police
Distributor:	Not Applicable
Classification:	Objectionable.
Descriptive Note:	Not Applicable
Display Conditions:	Not Applicable
Date of entry in Register:	10 October 2008
Date of direction to issue a label:	Not Applicable
OFLC No:	801642
Excisions:	Not Applicable
Reasons for excisions:	Not Applicable
Summary of reasons for classification:	The computer image file printout <i>boysinaction.jpg</i> is classified as: Objectionable.

The publication is a computer image file which depicts two naked boys engaged in sexual activity. The intended purpose of the publication is to sexually arouse viewers with a prurient interest in children, and it serves to legitimise sexual activity involving children by presenting them as sexually active and as potential sexual partners for adults. As such it promotes and supports the exploitation of children for sexual purposes, and is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

The classification of this publication interferes with the freedom of expression, as set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.